



PATENT APPLICATION  
PO-8044  
MD02-39

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF	)	
	)	
KEVIN J. ELSKEN ET AL	)	GROUP ART UNIT: 1711
	)	
SERIAL NUMBER: 10/749,027	)	EXAMINER: JOHN M. COONEY
	)	
FILED: DECEMBER 30, 2003	)	
	)	
TITLE: LOW K-FACTOR RIGID	)	
FOAM SYSTEMS	)	

**DECLARATION UNDER 37 CFR 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

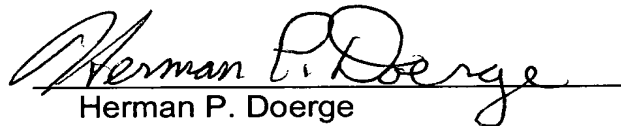
Sir:

I, Herman P. Doerge, of San Diego, California, declare as follows:

1. I studied chemical engineering at the University of Pittsburgh and obtained a B.S. degree in 1960.
2. I retired as a Principal Scientist from Bayer MaterialScience LLC in Pittsburgh, Pennsylvania in 2001.
3. I am one of the named inventors of the above-identified United States patent application.
4. I performed or supervised the experiments described in the above-identified United States patent application.
5. I further declare that I am familiar with the contents of U.S. Pat. No. 6,423,759.
6. I unequivocally declare that I conceived of or invented the relevant subject matter disclosed, but not claimed, in U.S. Pat. No. 6,423,759.

7. The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified United States patent application or any patent issuing therefrom.

Signed at San Diego CA, this 2<sup>nd</sup> day of June, 2006.

  
Herman P. Doerge

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. PO8044/MD02-39

Serial No. 10/749,027 Filed 12/30/2003

By KEVIN J. ELSKEN ET AL

Kindly place the date below that the enclosed  
-RESPONSE AND AMENDMENT UNDER 37 CFR 1.111

-PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136 (3 copies)

-DECLARATION OF HERMAN P. DOERGE RE U.S. 6,846,850

-DECLARATION OF HERMAN P. DOERGE RE U.S. 6,562,880

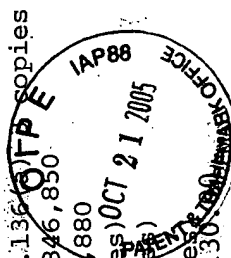
-TERMINAL DISCLAIMER RE U.S. 6,423,759 (3 copies)

-TERMINAL DISCLAIMER RE U.S. 6,846,850 (3 copies)

-TERMINAL DISCLAIMER RE U.S. 6,562,880 (3 copies)

MoCo 13-3848 - \$120.00 + \$130.00 + \$130.00

was received in the Patent Office and return this card.





**United States  
Patent and  
Trademark Office**



**Deposit Account Statement**

**Requested Statement Month:** October 2005  
**Deposit Account Number:** 133848  
**Name:** BAYER POLYMERS LLC  
**Attention:** JOSEPH C. GIL  
**Address:** 100 BAYER ROAD  
**City:** PITTSBURGH  
**State:** PA  
**Zip:** 15205-9741  
**Country:** UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/03	34	11238362	PO8642/STA-277	1011	\$300.00	\$44,051.00
10/03	35	11238362	PO8642/STA-277	1111	\$500.00	\$43,551.00
10/03	36	11238362	PO8642/STA-277	1311	\$200.00	\$43,351.00
10/03	37	11238362	PO8642/STA-277	1201	\$200.00	\$43,151.00
10/03	38	11238362	PO8642/STA-277	1203	\$360.00	\$42,791.00
10/03	39	11238362	PO8642/STA-277	1202	\$750.00	\$42,041.00
10/03	53	11238366	PO8643/MD04-65	1011	\$300.00	\$41,741.00
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10/07	37	11243000	PO8550/BMS041114	1311	\$200.00	\$79,081.00
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10/12	117	PCT/US05/34687	PO8347PCT	1702	\$1,211.00	\$70,515.00
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10/12	173	10979949	PO8207/LE 36.707	1501	\$1,400.00	\$64,874.00
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10/12 186	11245406	PO8086C/LEA36,654C	1011	\$300.00	\$64,259.00
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10/12 188	11245406	PO8086C/LEA36,654C	1311	\$200.00	\$63,559.00
10/12 217	09941179	MO-6580/LEA3	1201	\$400.00	\$63,159.00
10/12 218	09941179	MO-6580/LEA3	1253	\$1,020.00	\$62,139.00
10/13 28	10894692	PO-7637N/MD-02-90	1801	\$790.00	\$61,349.00
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10/13 45	10637440	P07898	8001	\$30.00	\$59,919.00
10/13 46	10637440	P07898	1504	\$300.00	\$59,619.00
10/14 30	11247354	PO-8516/BMS041001	1011	\$300.00	\$59,319.00
10/14 31	11247354	PO-8516/BMS041001	1111	\$500.00	\$58,819.00
10/14 32	11247354	PO-8516/BMS041001	1311	\$200.00	\$58,619.00
10/14 51	11243000	PO8550/BMS041114	8021	\$40.00	\$58,579.00
10/14 202	10275677	PO-7509/LEA	1801	\$790.00	\$57,789.00
10/14 203	10275677	PO-7509/LEA	1201	\$200.00	\$57,589.00
10/14 289	11244984	PO-8549/BMS041046	8021	\$40.00	\$57,549.00
10/17 15	10780097	PO7985/LEA36,548US	1501	\$1,400.00	\$56,149.00
10/17 16	10780097	PO7985/LEA36,548US	1504	\$300.00	\$55,849.00
10/17 17	10780097	PO7985/LEA36,548US	8001	\$15.00	\$55,834.00
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10/17 56	10048086	MO-6924/LEA	8001	\$15.00	\$54,289.00
10/17 62	10411902	PO7619/LEA35,817	1501	\$1,400.00	\$52,889.00
10/17 63	10411902	PO7619/LEA35,817	1504	\$300.00	\$52,589.00
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10/19 1	11173482	PO8475/BMS041018	1051	\$130.00	\$50,899.00
10/19 2	11173482	PO8475/BMS041018	1251	\$120.00	\$50,779.00
10/19 22	10726359	PO-7909/LEA 36,426	1251	\$120.00	\$50,659.00
10/19 179	11251146	PO8551/BMS041112	1011	\$300.00	\$50,359.00
10/19 180	11251146	PO8551/BMS041112	1111	\$500.00	\$49,859.00
10/19 181	11251146	PO8551/BMS041112	1311	\$200.00	\$49,659.00
10/20 25	11072762	MO-7383D/MD-00-138D-PU	1501	\$1,400.00	\$48,259.00
10/20 26	11072762	MO-7383D/MD-00-138D-PU	1504	\$300.00	\$47,959.00
10/20 27	11072762	MO-7383D/MD-00-138D-PU	8001	\$30.00	\$47,929.00
10/20 145	11171572	PO-8477/BMS 041025	1051	\$130.00	\$47,799.00
10/20 146	11171572	PO-8477/BMS 041025	1251	\$120.00	\$47,679.00
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10/20 198	11252149	PO-8547/BMS041130	1311	\$200.00	\$46,679.00
10/21 10	10751621	PO-8018/LEA 36,402	1252	\$450.00	\$46,229.00
10/21 14	10266212	MO7151/LEA 3	1251	\$120.00	\$46,109.00
10/21 94	PCT/US05/36772	PO8338PCT	1601	\$300.00	\$45,809.00
10/21 95	PCT/US05/36772	PO8338PCT	1704	\$1,877.00	\$43,932.00
10/21 96	PCT/US05/36772	PO8338PCT	1702	\$1,102.00	\$42,830.00
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10/21 98	PCT/US05/36772	PO8338PCT	8007	\$20.00	\$42,534.00
10/24 1	11101742	PO-8508/MD04-31	1464	\$130.00	\$42,404.00
10/24 33	PAYMENT		9203	-\$50,000.00	\$92,404.00
10/24 41	11251146	PO8551/BMS041112	8021	\$40.00	\$92,364.00
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10/24 71	10749027	PO-8044/MD-02-39	1251	\$120.00	\$91,204.00
10/24 72	10749027	PO-8044/MD-02-39	1814	\$130.00	\$91,074.00
10/24 73	10749027	PO-8044/MD-02-39	1814	\$130.00	\$90,944.00
10/24 74	10749027	PO-8044/MD-02-39	1814	\$130.00	\$90,814.00
10/24 83	PCT/US05/36942	PO8362PCT	1601	\$300.00	\$90,514.00
10/24 84	PCT/US05/36942	PO8362PCT	1704	\$1,877.00	\$88,637.00
10/24 85	PCT/US05/36942	PO8362PCT	1702	\$1,102.00	\$87,535.00
10/24 86	PCT/US05/36942	PO8362PCT	8007	\$20.00	\$87,515.00
10/24 153	09988858	MO6826/LEA34	1401	\$500.00	\$87,015.00
10/24 154	09988858	MO6826/LEA34	1251	\$120.00	\$86,895.00
10/24 182	11219395	PO8540/LEA 36,024	8021	\$40.00	\$86,855.00
10/24 282	11214995	PO-8534/BMS041100	8021	\$40.00	\$86,815.00
10/24 283	11171572	PO-8477/BMS 041025	8021	\$40.00	\$86,775.00
10/25 8	11255018	PO8634/MD05-37/MD05-66	1011	\$300.00	\$86,475.00
10/25 9	11255018	PO8634/MD05-37/MD05-66	1111	\$500.00	\$85,975.00
10/25 10	11255018	PO8634/MD05-37/MD05-66	1311	\$200.00	\$85,775.00
10/25 11	11255018	PO8634/MD05-37/MD05-66	1202	\$500.00	\$85,275.00
10/25 12	11255018	PO8634/MD05-37/MD05-66	1201	\$600.00	\$84,675.00
10/25 72	10672440	PO7760/LEA 36,336	1402	\$500.00	\$84,175.00
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10/25 109	11217207	PO8541/BMS041028	1051	\$130.00	\$83,925.00
10/25 165	11184093	PO-8458/WW-5632	1051	\$130.00	\$83,795.00
10/25 166	11184093	PO-8458/WW-5632	1251	\$120.00	\$83,675.00
10/25 210	11217725	PO8543/BMS04103	8021	\$40.00	\$83,635.00
10/25 211	11173482	PO8475/BMS041018	8021	\$40.00	\$83,595.00
10/25 261	10677882	P07629CIP/MD-01-81-CIP	1251	\$120.00	\$83,475.00
10/26 202	11247354	PO-8516/BMS041001	8021	\$40.00	\$83,435.00
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10/27 90	11257713	PO8531/BMS041104	1111	\$500.00	\$82,515.00
10/27 91	11257713	PO8531/BMS041104	1311	\$200.00	\$82,315.00
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10/27 106	11257188	PO-8617/BMS041013	1111	\$500.00	\$81,515.00
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10/27 108	11257188	PO-8617/BMS041013	1202	\$100.00	\$81,215.00
10/27 143	PCT/US05/36504	PO8361PCT	1601	\$300.00	\$80,915.00
10/27 144	PCT/US05/36504	PO8361PCT	1704	\$1,877.00	\$79,038.00
10/27 145	PCT/US05/36504	PO8361PCT	1702	\$1,102.00	\$77,936.00
10/27 146	PCT/US05/36504	PO8361PCT	1703	\$48.00	\$77,888.00
10/27 147	PCT/US05/36504	PO8361PCT	8007	\$20.00	\$77,868.00
10/27 251	PCT/US05/37590	PO8376PCT	1601	\$300.00	\$77,568.00

10/27	252	PCT/US05/37590	PO8376PCT	1704	\$1,877.00	\$75,691.00
10/27	253	11257226	PO8648/MD04-114	1011	\$300.00	\$75,391.00
10/27	253	PCT/US05/37590	PO8376PCT	1702	\$1,102.00	\$74,289.00
10/27	254	11257226	PO8648/MD04-114	1111	\$500.00	\$73,789.00
10/27	254	PCT/US05/37590	PO8376PCT	8007	\$20.00	\$73,769.00
10/27	255	11257226	PO8648/MD04-114	1311	\$200.00	\$73,569.00
10/27	256	11257226	PO8648/MD04-114	1201	\$200.00	\$73,369.00
10/27	257	11257226	PO8648/MD04-114	1202	\$2,000.00	\$71,369.00
10/27	304	10553841	CH-7671US	1631	\$300.00	\$71,069.00
10/27	305	10553841	CH-7671US	1632	\$500.00	\$70,569.00
10/27	306	10553841	CH-7671US	1633	\$200.00	\$70,369.00
10/27	307	10553841	CH-7671US	1615	\$100.00	\$70,269.00
10/27	308	10553841	CH-7671US	1614	\$200.00	\$70,069.00
10/28	22	11250018	1/1788	8021	\$40.00	\$70,029.00
10/28	97	11257226	PO8648/MD04-114	8021	\$40.00	\$69,989.00
10/28	186	11213031	PO8546/BMS041101	1051	\$130.00	\$69,859.00
10/31	1	10870126	PO8223	1201	\$200.00	\$69,659.00
10/31	15	11217207	PO8541/BMS041028	8021	\$40.00	\$69,619.00
10/31	16	11184093	PO-8458/WW-5632	8021	\$40.00	\$69,579.00
10/31	112	11260104	PO8610/MD05-32	1011	\$300.00	\$69,279.00
10/31	113	11260104	PO8610/MD05-32	1111	\$500.00	\$68,779.00
10/31	114	11260104	PO8610/MD05-32	1311	\$200.00	\$68,579.00
10/31	115	11260104	PO8610/MD05-32	1202	\$1,200.00	\$67,379.00
10/31	116	11260104	PO8610/MD05-32	1201	\$200.00	\$67,179.00
10/31	204	11257713	PO8531/BMS041104	8021	\$40.00	\$67,139.00

START  
BALANCE

\$44,351.00

SUM OF  
CHARGES

\$77,212.00

SUM OF  
REPLENISH BALANCE

\$100,000.00 \$67,139.00

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